

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action  
No. 05 11395 RCL

PATRICIA BERGEVINE,  
Plaintiff

v.

PEASE & CURREN, INC., PEASE &  
CURREN MATERIALS, INC., FRANCIS H.  
CURREN, III A/K/A KIP CURREN, AND  
MEREDITH CURREN  
Defendants

DEFENDANTS' MOTION TO CONTINUE SCHEDULING CONFERENCE

The defendants Pease & Curren, Inc., Pease & Curren Materials, Inc., Francis H. Curren, III, a/k/a Kip Curren, and Meredith Curran, respectfully request that the Court continue the scheduling conference in this matter, currently scheduled for October 17, 2005, for the following reasons:

1. Counsel for defendants never received written notice of the scheduling conference. This office first learned of the conference yesterday during a conference call with plaintiff and personal counsel for Pease & Curren.

2. Our office was only recently retained to represent defendants and we have yet to make a determination as to strategy, possible depositive motions and what discovery will be needed. Without this information, it would be difficult to calculate appropriate dates for the joint discovery plan and proposed schedule for filing motions as required in advance of the scheduling conference by Local Rule 16.1. Nor would we be prepared to accurately evaluate or respond to the settlement proposal that plaintiff is required to present defendants in advance of the scheduling conference.

3. The defendants request that the scheduling conference be continued to November 7, 2005 or November 9, 2005.

4. The requested continuance will not unduly delay the resolution of this matter.

5. We have conferred with counsel for plaintiff who have indicated that they do not plan to oppose this motion.

WHEREFORE, the defendants request that the scheduling conference be continued until November 7, 2005 or November 9, 2005.

**Defendants.,**

By their Attorneys,



Joseph H. Aronson [BBO #022070]

Michael J. McCormack [BBO #329680]

Laura G. Ryan [BBO #653793]

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